

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Implementation of the Local Competition	)	CC Docket No. 96-98
Provisions of the Telecommunications Act of	)	
1996	)	
	)	
Numbering Resource Optimization	)	CC Docket No. 99-200
	)	
Common Carrier Bureau Seeks Comment	)	DA 02-108
on Numbering Audit Program	)	

To: Chief, Common Carrier Bureau

**REPLY COMMENTS OF  
DOBSON COMMUNICATIONS CORPORATION**

Dobson Communications Corporation (“Dobson”)<sup>1</sup> submits the following brief reply comments to address issues raised in comments on the Commission’s proposed Audit Program, Standard Data Request, and Internal Control Questionnaire for federal audits of carriers’ numbering resources.<sup>2</sup>

**DISCUSSION**

As Dobson noted in its initial comments, it is important that the auditor understand the audited entity’s systems and processes, as well as interact with the management of the audited

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<sup>1</sup> Through its licensed subsidiaries, Dobson owns and/or manages cellular systems in 17 states. While the geographic coverage areas of the Dobson systems are diverse and include rural areas, low-density suburban areas, and a handful of smaller cities, the vast majority of Dobson’s coverage area is classified as rural.

<sup>2</sup> *Common Carrier Bureau Seeks Comment on Numbering Audit Program*, Public Notice, DA 02-108 (rel. Jan. 15, 2002).

entity during the course of the audit.<sup>3</sup> The ultimate objective in this proceeding, however, is “for the Commission to establish a process by which the auditors present a value-neutral set of findings regarding the audited entity’s practices, allowing the Commission and its staff *to exercise their responsibility to determine compliance with the rules.*”<sup>4</sup> In these reply comments, Dobson emphasizes that this objective – “determining compliance with the rules” – necessarily requires that the auditor and the Commission focus on objective data.

While information on a carrier’s individual systems and processes may enable carriers to explain the data to the auditor, Dobson agrees with other commenting that the auditor’s focus should be on determining whether the carrier’s reporting of *assigned numbers* is accurate. Under the Commission’s rules, only its use of assigned numbers will permit a carrier to receive additional numbers and thus affect number exhaust. The presence or absence of particular systems or processes is not in itself an indication of non-compliance.<sup>5</sup> Different carriers have different degrees of personnel and database resources, and data or information readily available for one carrier may not be available in that same format for another. Not all of the information on systems and processes listed in the Audit Plan and other audit documents will be necessary for the auditor’s task, and should be provided only to the extent that it enables the auditor to understand and analyze the underlying data on assigned numbers. The auditor’s line(s) of inquiry should be limited to data and other objective evidence.

In that same vein, Dobson also identified in its comments particular shortcomings in the proposed plan in which audit inquiries appear not to be targeted at any specific rule, which may even misstate a rule or requirement, or which may not elicit complete or accurate data regarding

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<sup>3</sup> Dobson Comments at 1.

<sup>4</sup> Dobson Comments at 1-2 (emphasis added).

<sup>5</sup> See AT&T at 4; CTIA Comments at 6; Verizon Wireless Comments at 5.

compliance with the rules. Commenting parties cite a number of additional examples. Verizon Wireless notes that Line 34 could arguably be viewed as enabling auditors to make inquiries with multiple carrier employees.<sup>6</sup> As Dobson noted in its comments, interaction between the auditors and the audited entity's *management* (or management's duly-authorized designees) is appropriate, but Verizon Wireless correctly indicates that auditor-carrier interaction must be limited to appropriate channels, not open-ended.<sup>7</sup> Commenters also noted the use of terms such as "permanently disconnected" numbers and numbers returned for non-payment is not based in the rules.<sup>8</sup> Finally, Dobson agrees that other proposed measures, such as "security measures" or employees' briefing management on compliance, do not have a basis in the rules.<sup>9</sup> As commenters note, these may be appropriate correction or mitigation factors for Commission consideration in the event that a carrier is found to be in noncompliance.<sup>10</sup>

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<sup>6</sup> Verizon Wireless Comments at 3 n.7.

<sup>7</sup> *Id.* at 1.

<sup>8</sup> See Verizon Wireless Comments at 5-6; Sprint PCS Comments at 6-7; BellSouth at 1-2.

<sup>9</sup> See Verizon Wireless Comments at 5.

<sup>10</sup> See Verizon Wireless Comments at 5; CTIA Comments at 6.

## CONCLUSION

While the auditor may require information on the individual audited carrier's processes in order to determine whether number resources have been used appropriately, the focus of the auditor's inquiry should be on objective evidence and on information and data reflected in the Commission's Part 52 rules.

Respectfully submitted,

**DOBSON COMMUNICATIONS CORPORATION**

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